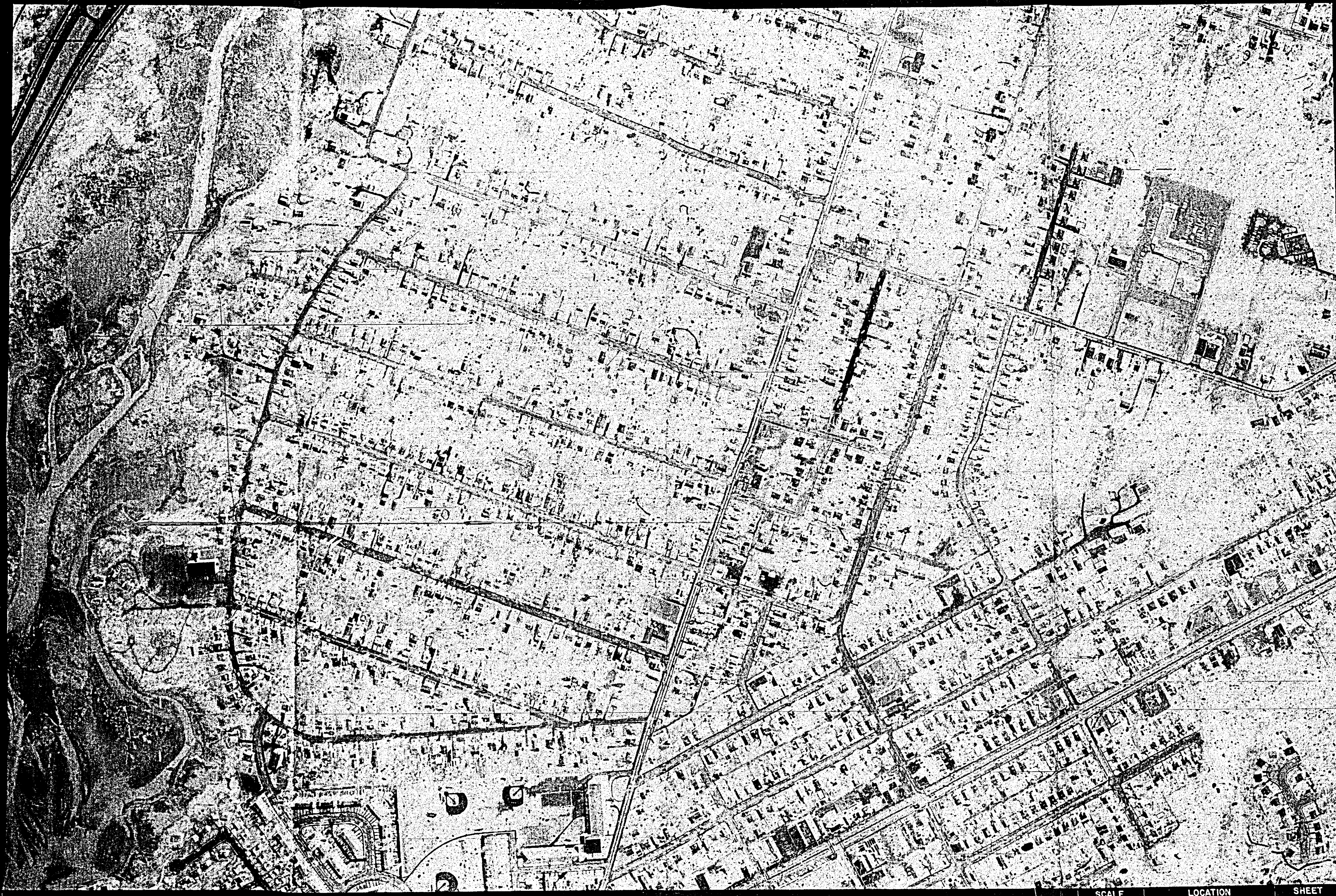


A-915-46



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

#507

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

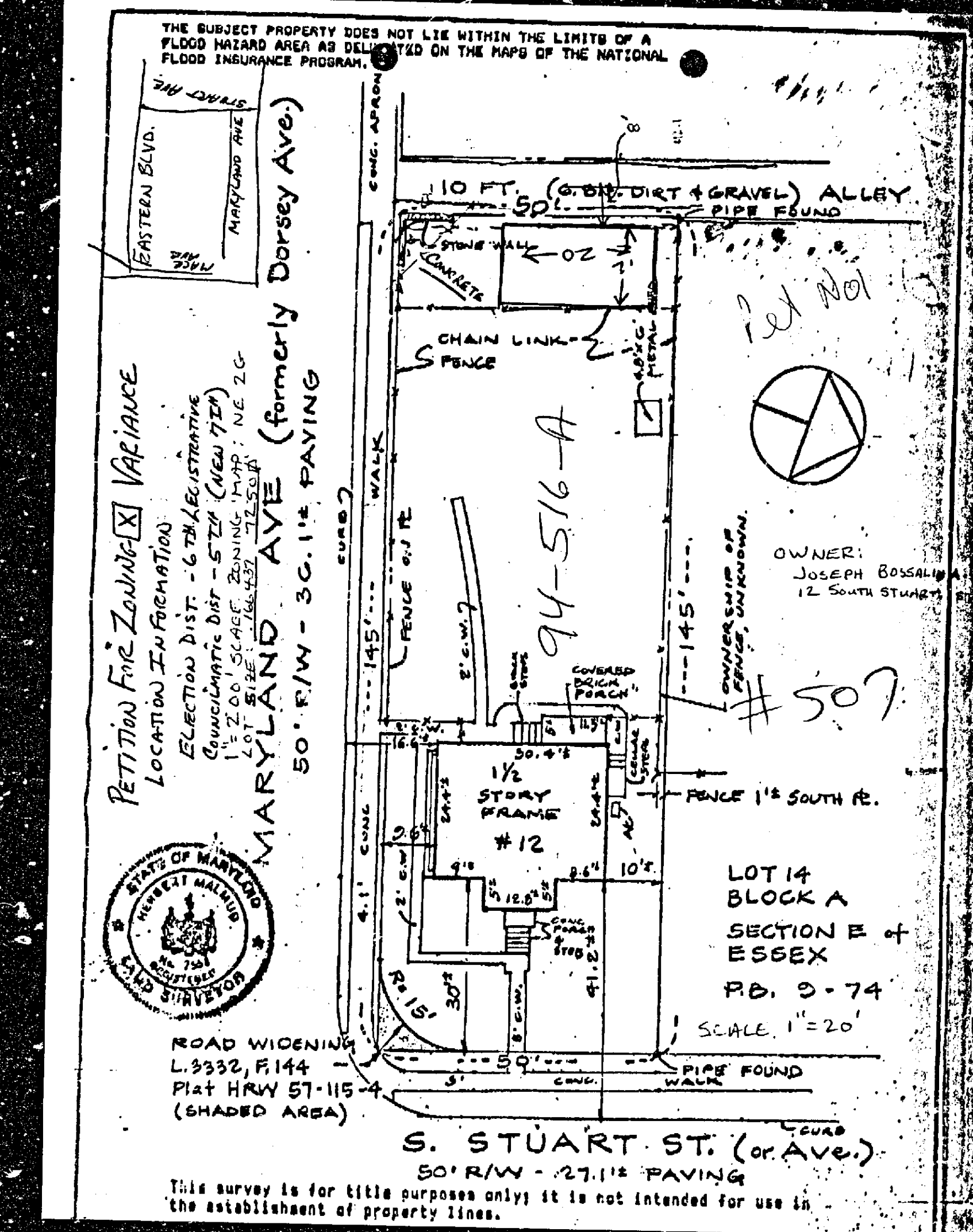
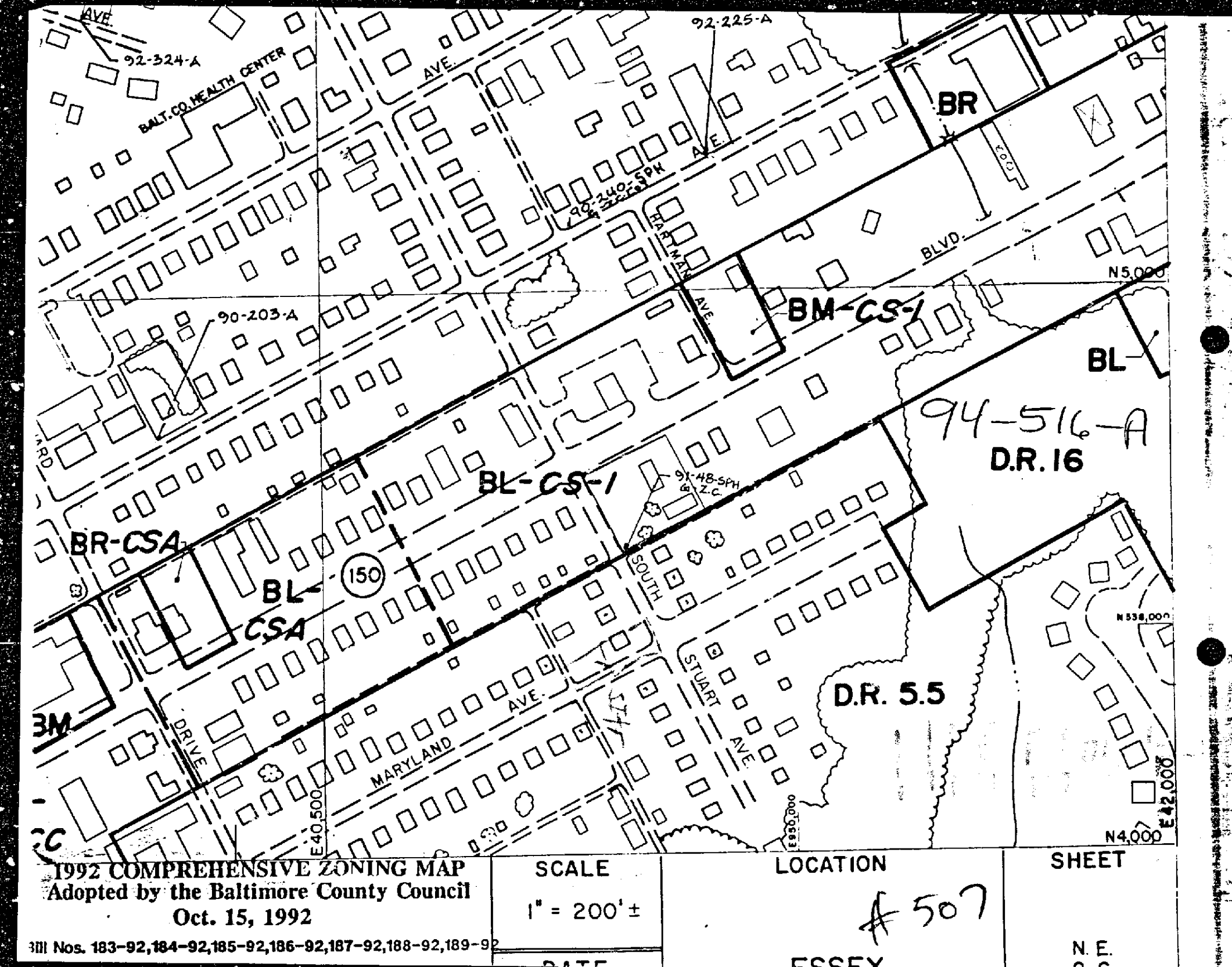
SCALE	LOCATION	SHEET
1" = 200' ±	ESSEX	N.E. 2-G
DATE OF PHOTOGRAPHY JANUARY 1966		

PETITION BALTIMORE COUNTY - FOR VARIANCE
GARAGE ON PROPERTY AT 12 SOUTH STUART ST.
21221

WE NEIGHBORS, OF MR. JOE BOSSALINA HAVE NO PROBLEM WITH
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NO REASON WHY STRUCTURE SHOULD HAVE TO BE RELOCATED
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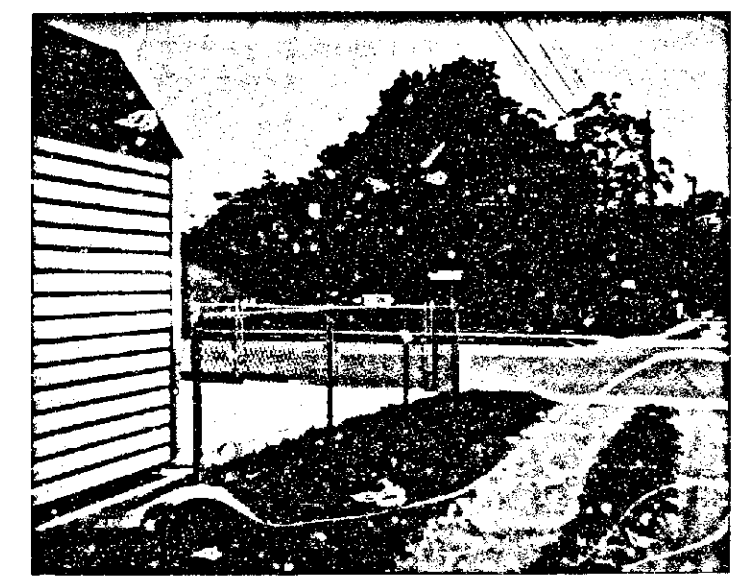
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Thomas P. Delaney	11 S. Stuart St.	21221
John M. Bowers	9 S. Stuart St.	21221
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JUEL M. YEASTED	624 MARYLAND AVE	21221
Jane Friedel	620 Maryland Ave	21221-686-9015

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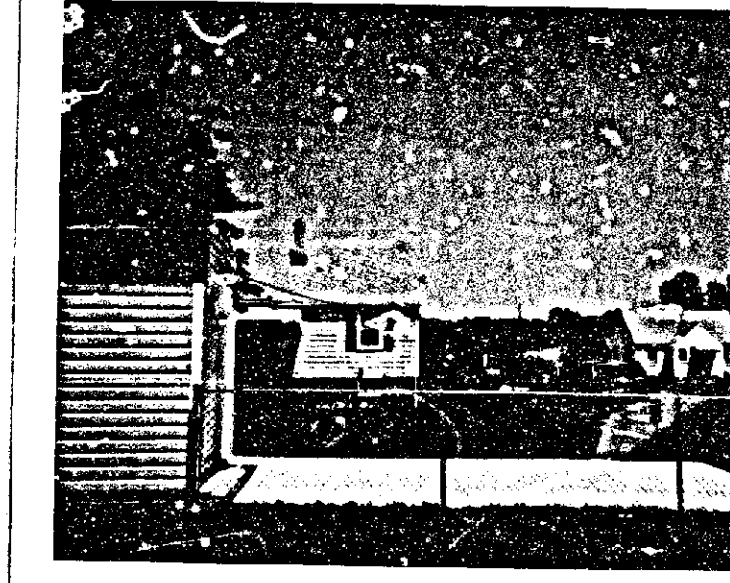
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94-516-A



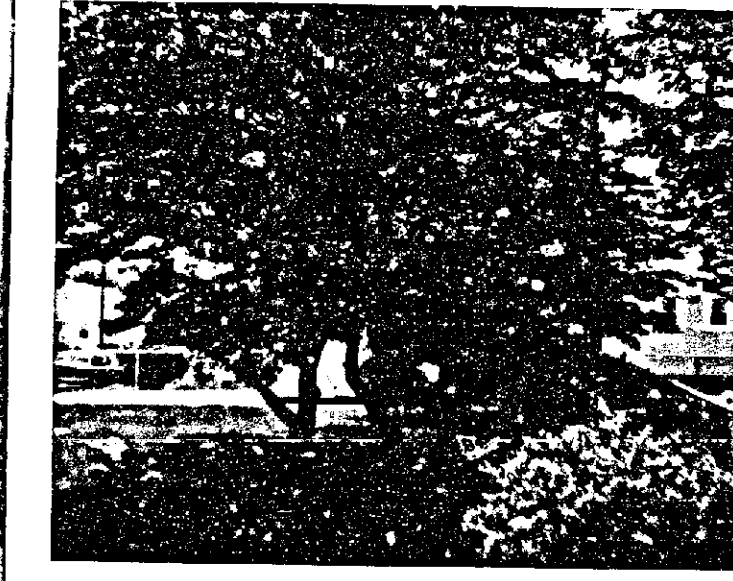
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94-516-A



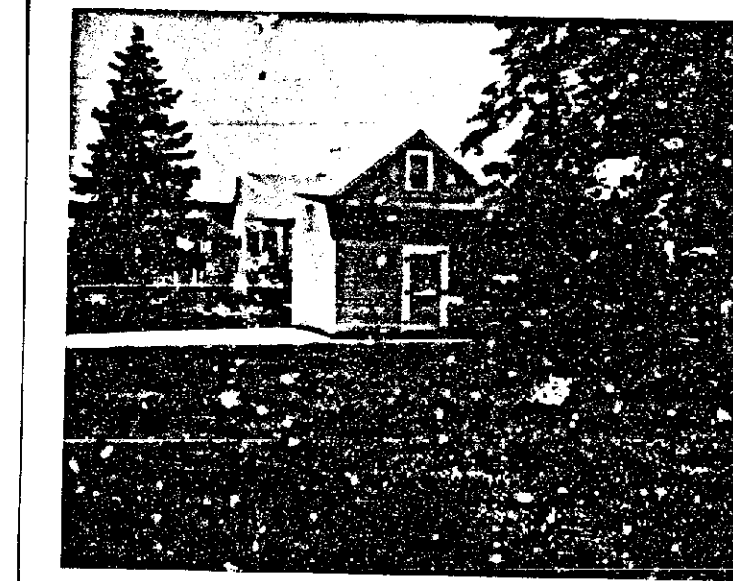
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94-516-A



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94-516-A



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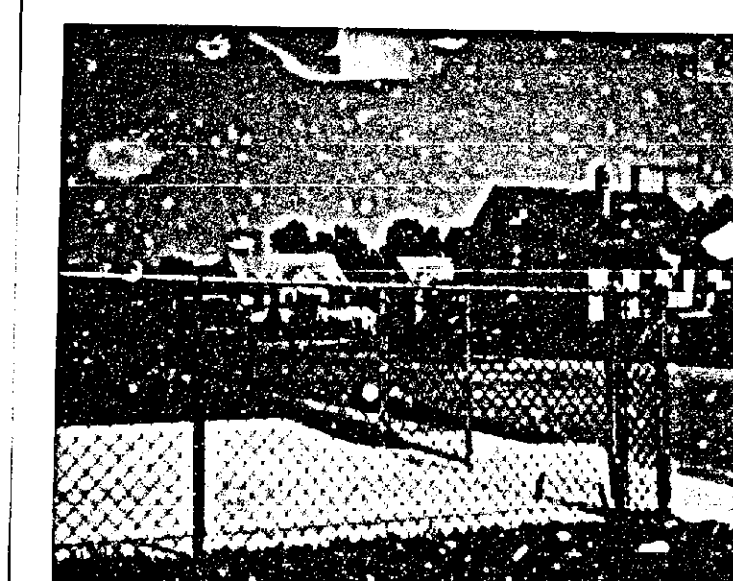
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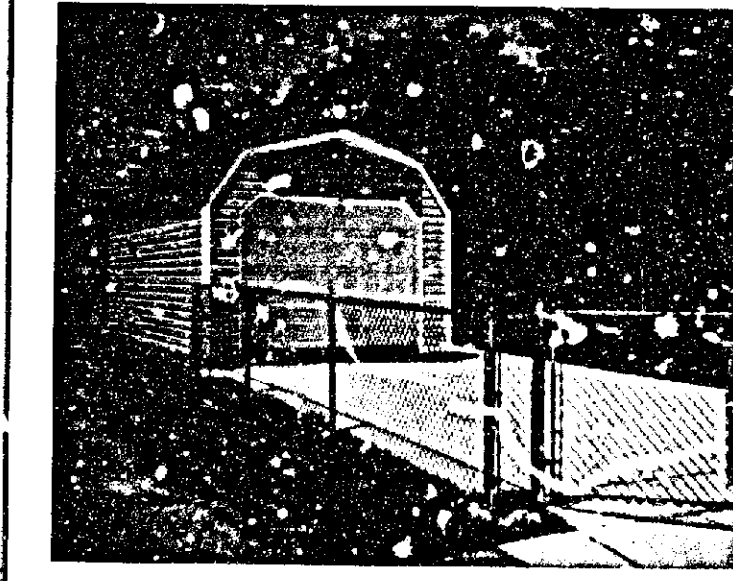
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ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 507

Petitioner: JOSEPH BOSSALINA

Location: 12 S. STUART ST. BALTO, MD. 21221

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SAME

ADDRESS: SAME

PHONE NUMBER: 391-5110

AJ:ggg

(Revised 04/09/93)

July 6, 1994

Mr. Joseph Bossalina
12 South Stuart Street
Baltimore, Maryland 21221

RE: Case No. 94-516-A, Item No. 507
Petition for Administrative Variance
Petitioner: Joseph Bossalina

Dear Mr. Bossalina:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on June 22, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

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1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

U. James Lighnizer
Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 94-507 (JCH)
94-516-A

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for DAVID A. KATSEY, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Mr. Joseph Bossalina
12 South Stuart Street
Baltimore, Maryland 21221

RE: Case No. 516-A, Item No. 507
Petition for Administrative Variance

Dear Mr. Bossalina:

Enclosed are copies of comments received from the Department of Environmental Protection and Resource Management on July 12, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Charlotte Minton
Charlotte Minton

Enclosure

Printed with Soy-based Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

July 12, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #507 - Bossalina Property
12 S. Stuart Street
Zoning Advisory Committee Meeting of July 5, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine whether the proposed development is in compliance with the Chesapeake Bay Critical Area regulations. The applicant must submit a Critical Area Findings Plan for review and approval by this Department prior to preparation of a Critical Area Findings for the development. The applicant may contact the Environmental Impact Review Section at 887-3980 for details.

This property is in the IDA of CRCA.

CLP:EG:sp

BOSSALI/DEPRM/TATSBP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 5, 1994

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 487, 492, 496, 497, 500, 501, 506, 507 and 509.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey N. Long

Division Chief: Arnold Jablon

PK/JL:lw

ZAC.491/PZONE/ZAC1

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/01/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 504, 506, 507, 508, 509, AND 511.

RECEIVED
JUL 5 1994

ZADM

REVIEWER: LT. ROBERT P. SAUERHAUD
Fire Marshal Office, PHONE 887-4891, MS-1102F

cc: File

Printed with Soy-based Ink
on Recycled Paper

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Mr. Joseph Bossalina
12 South Stuart Street
Baltimore, Maryland 21221

RE: CASE NUMBER: 94-516-A (Item 507)
12 South Stuart Street
MC South Stuart Street and Maryland Avenue
15th Election District - 5th Councilmanic
Petitioner(s): Joseph Bossalina

Variance to permit an accessory structure to be located partially in the third of the rear lot not farthest removed from any street and a setback of 8 feet in lieu of the required 15 feet to the c/l of the alley; and to permit a 4-foot high fence (chain-link) in lieu of the permitted maximum 3 feet high within 15 feet of the intersection of a street and an alley.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before July 2, 1994. The closing date (July 18, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) set the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commission), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

Printed with Soy-based Ink
on Recycled Paper

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
NWC South Stuart Street and
Maryland Avenue
12 South Stuart Street
15th Election District
5th Councilmanic District
Joseph Bossalina
Petitioner

• BEFORE THE
• ZONING COMMISSIONER
• OF BALTIMORE COUNTY
• Case No. 94-516-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Joseph Bossalina for that property known as 12 South Stuart Street in the Essex area of Baltimore County. The Petitioner/property owner herein seeks a variance from Sections 400.1 and 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure to be located partially in the third of the rear lot not farthest removed from any street, and a setback of 8 ft., in lieu of the required 15 ft., to the centerline of the alley; and a variance from Section 102.5 of the B.C.Z.R. to permit a 4 ft. high fence (chainlink), in lieu of the permitted maximum 3 ft., within 15 ft. of the intersection of a street and alley, all as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of

the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

This property is located within the Chesapeake Bay Critical Areas and is subject to compliance with the recommendations to be made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.), upon completion of their findings. The relief granted herein shall be conditioned upon Petitioner's compliance with said findings.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of July, 1994 that the Petition for a Zoning Variance from Section 400.1 and 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure to be located partially in the third of the rear lot not farthest removed from any street, and a setback of 8 ft., in lieu of the required 15 ft., to the centerline of the alley, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 102.5 of the B.C.Z.R. to permit a 4 ft. high fence (chainlink), in lieu of the permitted maximum 3 ft., within 15 ft. of the intersection of a street and alley, all in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until

such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Compliance with the Department of Environmental Protection and Resource Management recommendations to be submitted upon completion of their review of this matter.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmm

ORDER RECEIVED FOR FILING
Date 7/22/94
By Ph. Davis

-3-

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12 S. Stuart St.
which is presently zoned ESSEX

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 400.1 & 400.2; BCZR TO PERMIT AN ACCESSORY STRUCTURE TO BE LOCATED PARTIALLY IN THE THIRD OF REAR LOT NOT FARTHEST REMOVED FROM ANY STREET, AND A SETBACK OF 8' IN LIEU OF THE REQUIRED 15' TO THE CENTERLINE OF THE ALLEY AND (SEE ATTACHED) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. The shed and fence have been there since 11-93
2. To move shed back 15' from center of Alley I would have to cut tree or tree down
3. My yard would like stupid with driveway ending to nothing

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person: Joseph A. Bossalina
Type of Request: Variance
Signature: Joseph A. Bossalina
Address: 12 S. Stuart St
City: ESSEX, MD. 21221
State: MD
Zip: 21221
Phone: 391-5110

DATE: 6-22-94
ITEM #: 507

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereon in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at
12 S. STUART ST.
ESSEX, MD. 21221

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: SHED AND FENCE INSTALLED 11-93
TO MOVE SHED AND FENCE BACK TO REQUIRE 15' FROM
CENTERLINE OF ALLEY I WOULD HAVE TO REMOVE TREES
EXISTING IN YARD, EXISTING DRIVEWAY WOULD LOOK
STUPID AND WOULD HAVE TO BE REMOVED OR
EXTENDED. I'VE PUT A LOT OF TIME + MONEY
INTO MAKING MY PROPERTY LOOK GOOD.
MOVING WOULD ONLY MAKE MY YARD LOOK
LIKE UNFINISHED WORK.

THANK YOU VERY MUCH.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Joseph A. Bossalina
Type of Name: Signature

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit

I HEREBY CERTIFY, on 21 day of JULY, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Joseph A. Bossalina
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal
6/21/94

My Commission Expires:
BARBARA STEINMEYER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 12, 1995

* FROM SECTION 102.5; BCZR, TO PERMIT
A 4' HIGH FENCE (CHAINLINK) IN LIEU
OF THE PERMITTED MAX. 3' HIGH, WITHIN
15' OF THE INTERSECTION OF A STREET
AND AN ALLEY.

94-516-A

507

Property Description 94-516-A

Being Known and Designated as Lot
No. fourteen (14) in Block A of section E
of Essex, as shown on the ~~Plat~~ Plat
of the same, Filed among the land
records of Baltimore County in Plat
Book Liber W. H. M. No. 9, folio 74.

The improvements thereon being
Known as 12. S. Stuart Street.
LOCATED ON THE N.W. CORNER OF
THE INTERSECTION OF STUART ST.
AND MARYLAND AVE.

#507

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Township, Maryland

District: 12th Date of Posting: 7/2/94
Posted for: Variance
Petitioner: Bossalina, Joseph A.
Location of property: 12 S. Stuart St. N.W. Corner Maryland Ave.
Location of Sign: Front, driveway, on property, by hand, posted
Remarks: None
Posted by: Matthew Date of return: 7/2/94
Number of Signs: 1

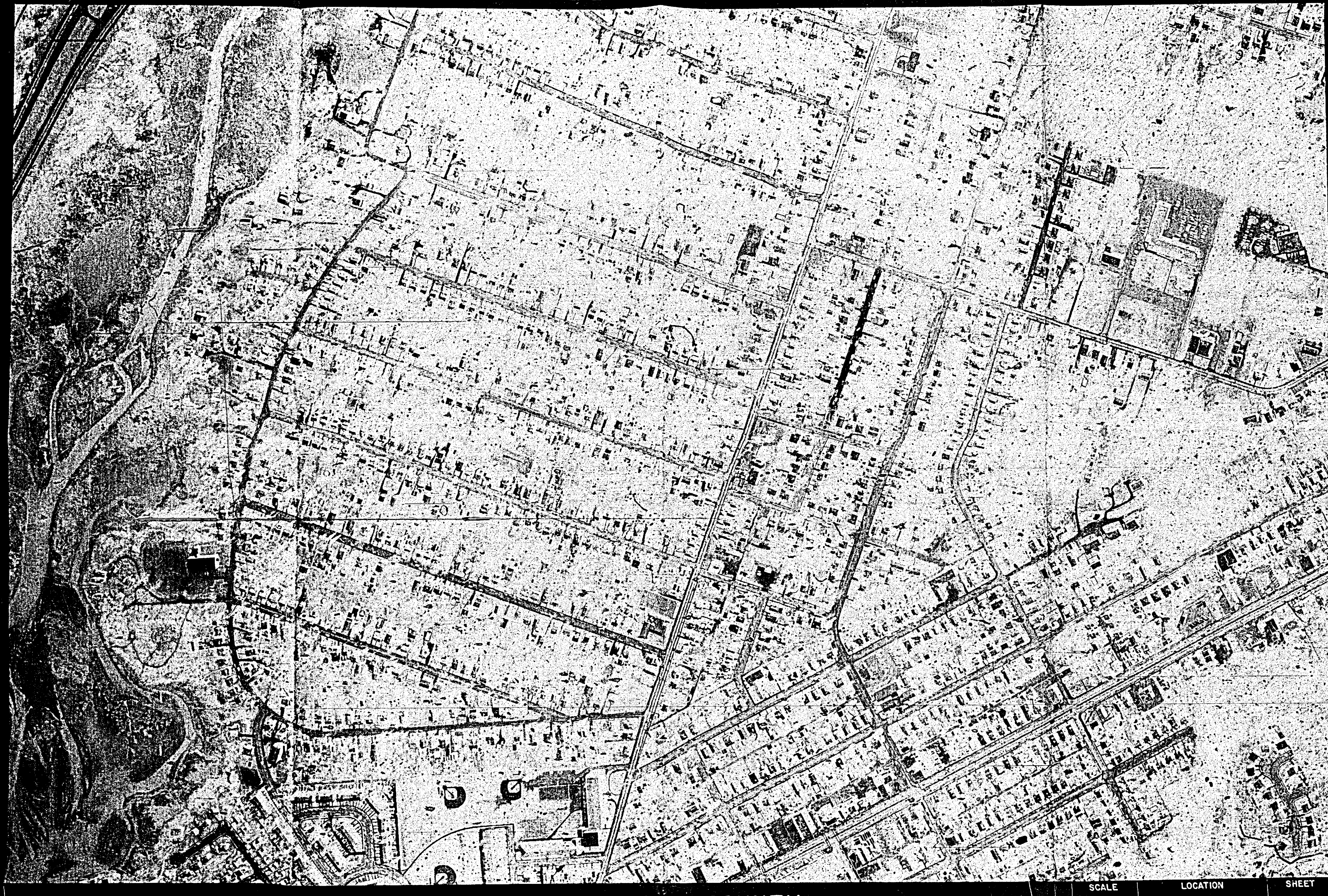
Baltimore County
Zoning Administration &
Development Management
111 York Village Circle, Suite 100
Towson, Maryland 21204

Date: 6-22-94
Joseph Bossalina
Admin Var. (510) 35.00
Posting (080) 35.00
Total 70.00

0340300064M1CHRC
PB_C003103PMD6-22-94 \$85.00
Please Make Checks Payable To: Baltimore County

Confirms Validation

A-915-46



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING

Lot #

PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

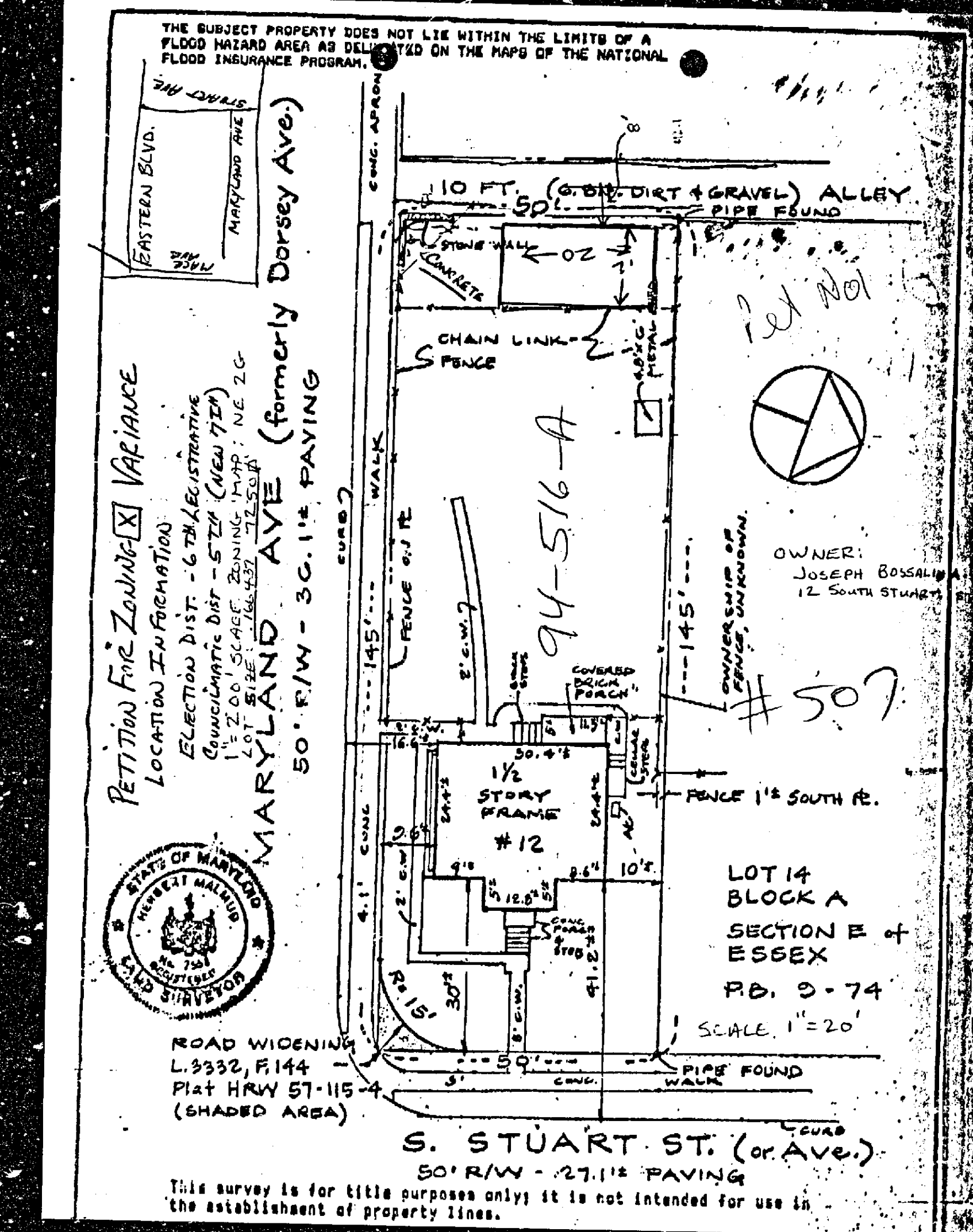
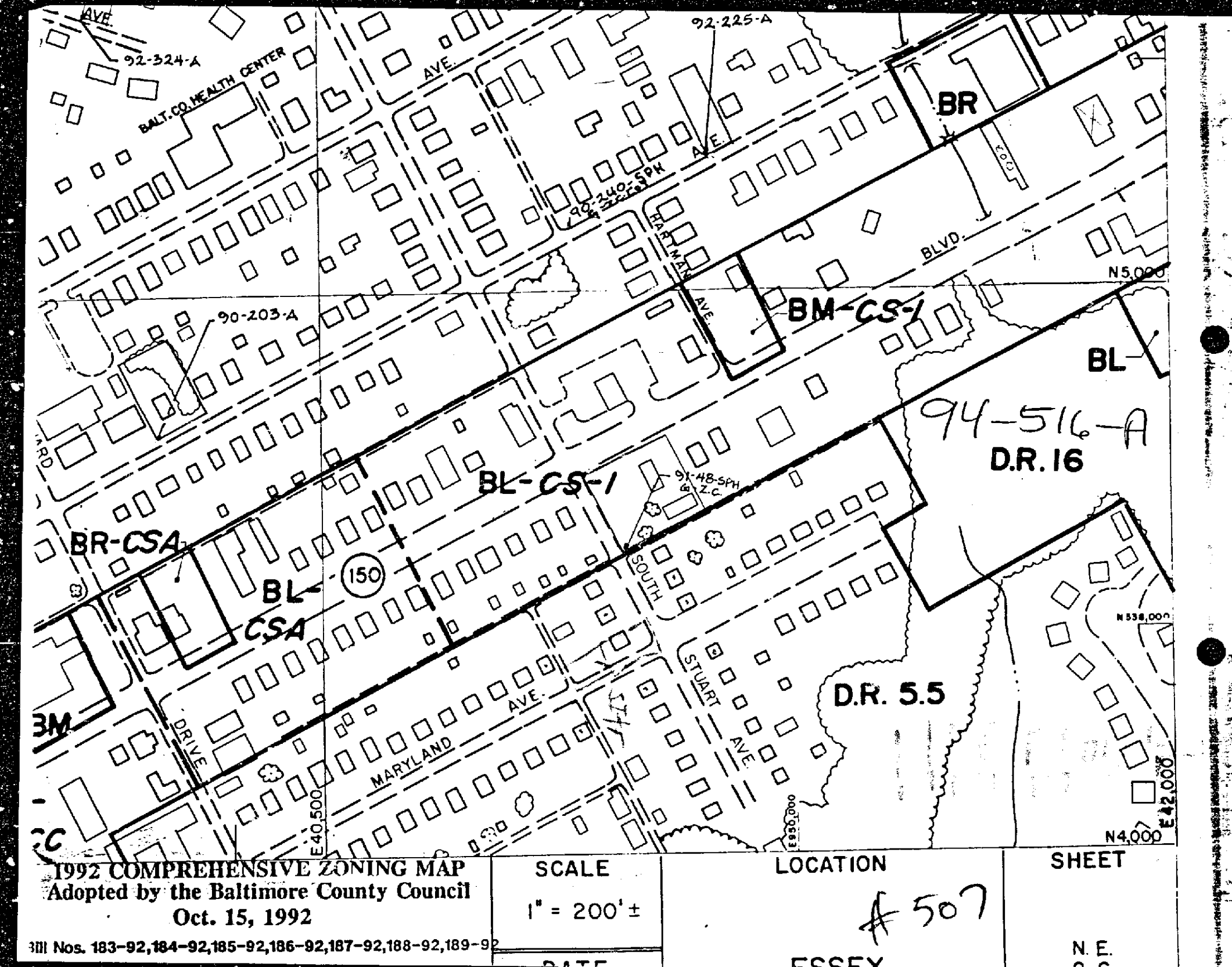
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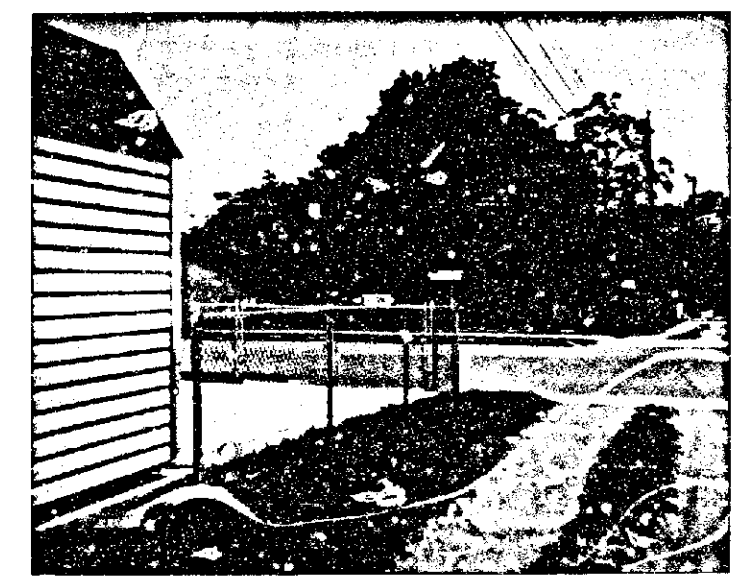
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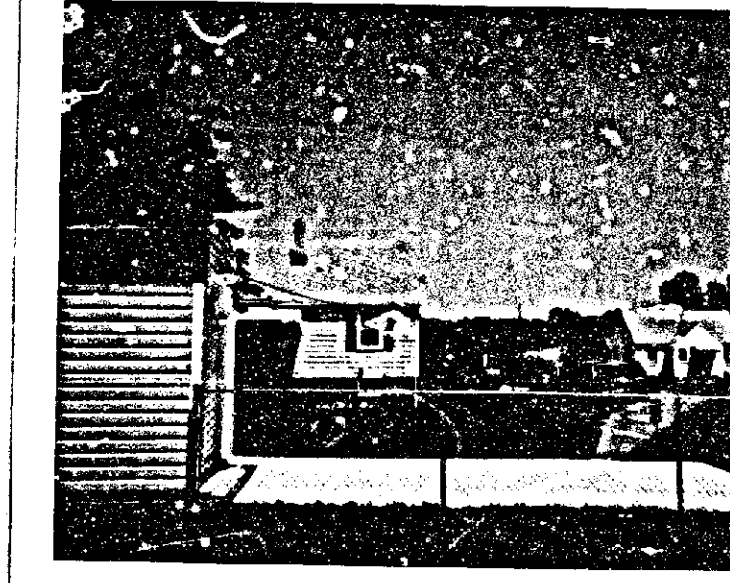
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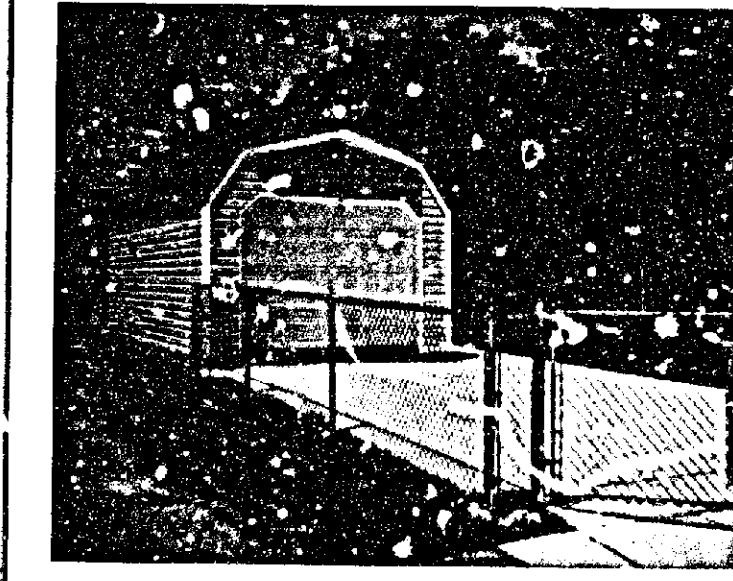
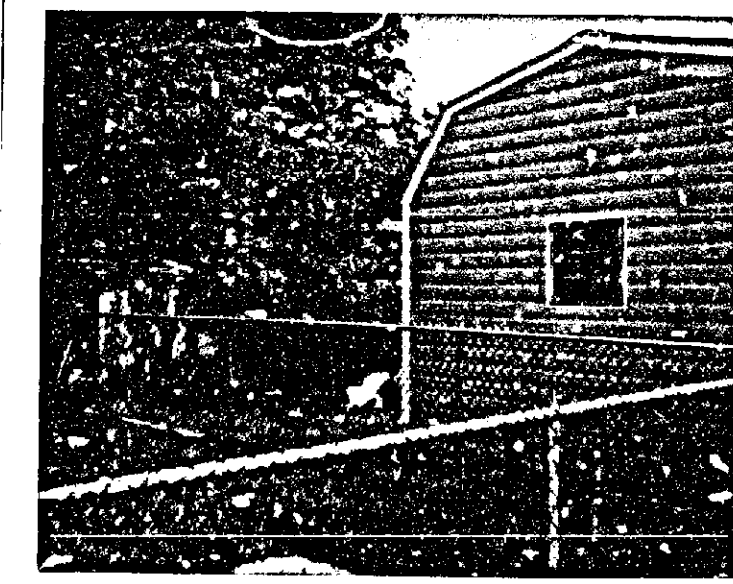
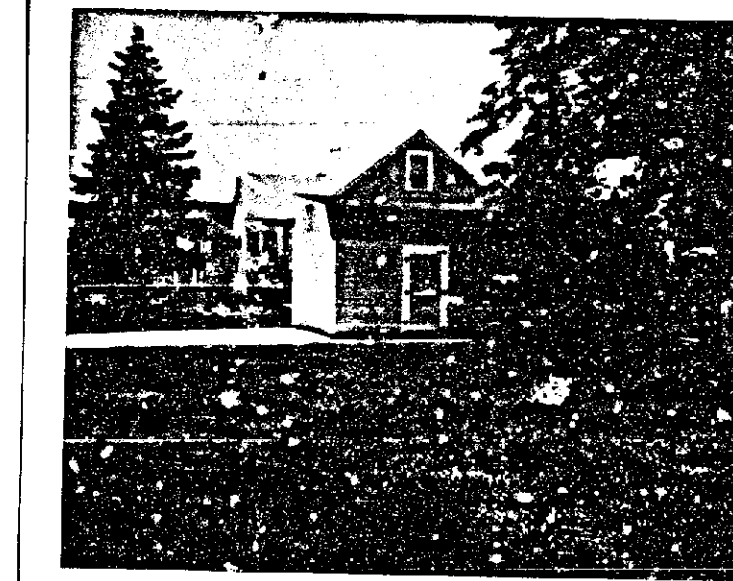
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94-516-A



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ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 507

Petitioner: JOSEPH BOSSALINA

Location: 12 S. STUART ST. BALTO, MD. 21221

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SAME

ADDRESS: SAME

PHONE NUMBER: 391-5110

AJ:ggg

(Revised 04/09/93)

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

July 6, 1994

Mr. Joseph Bossalina
12 South Stuart Street
Baltimore, Maryland 21221

RE: Case No. 94-516-A, Item No. 507
Petition for Administrative Variance
Petitioner: Joseph Bossalina

Dear Mr. Bossalina:

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Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
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County Office Building
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Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for DAVID A. KATSEY, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

111 West Chesapeake Avenue
Towson, MD 21204

July 13, 1994

(410) 887-3353

Mr. Joseph Bossalina
12 South Stuart Street
Baltimore, Maryland 21221

RE: Case No. 516-A, Item No. 507
Petition for Administrative Variance

Dear Mr. Bossalina:

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If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

Charlotte Minton
Charlotte Minton

Enclosure

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

July 12, 1994

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #507 - Bossalina Property
12 S. Stuart Street
Zoning Advisory Committee Meeting of July 5, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine whether the proposed development is in compliance with the Chesapeake Bay Critical Area regulations. The applicant must submit a Critical Area Findings Plan for review and approval by this Department prior to preparation of a Critical Area Findings for the development. The applicant may contact the Environmental Impact Review Section at 887-3980 for details.

This property is in the IDA of CRCA.

CLP:EG:sp

BOSSALI/DEPRM/TATSBP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 5, 1994

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 487, 492, 496, 497, 500, 501, 506, 507 and 509.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey N. Long

Division Chief: Arnold Jablon

PK/JL:lw

ZAC.491/PZONE/ZAC1

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/01/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 504, 506, 507, 508, 509, AND 511.

RECEIVED
JUL 5 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERHAUD
Fire Marshal Office, PHONE 887-4891, MS-1102F

cc: File

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111 West Chesapeake Avenue
Towson, MD 21204

June 29, 1994

(410) 887-3353

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Mr. Joseph Bossalina
12 South Stuart Street
Baltimore, Maryland 21221

RE: CASE NUMBER: 94-516-A (Item 507)
12 South Stuart Street
MC South Stuart Street and Maryland Avenue
15th Election District - 5th Councilmanic
Petitioner(s): Joseph Bossalina

Variance to permit an accessory structure to be located partially in the third of the rear lot not farthest removed from any street and a setback of 8 feet in lieu of the required 15 feet to the c/l of the alley; and to permit a 4-foot high fence (chain-link) in lieu of the permitted maximum 3 feet high within 15 feet of the intersection of a street and an alley.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before July 2, 1994. The closing date (July 18, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) set the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commission), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

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on Recycled Paper

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
NWC South Stuart Street and
Maryland Avenue
12 South Stuart Street
15th Election District
5th Councilmanic District
Joseph Bossalina
Petitioner

• BEFORE THE
• ZONING COMMISSIONER
• OF BALTIMORE COUNTY
• Case No. 94-516-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Joseph Bossalina for that property known as 12 South Stuart Street in the Essex area of Baltimore County. The Petitioner/property owner herein seeks a variance from Sections 400.1 and 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure to be located partially in the third of the rear lot not farthest removed from any street, and a setback of 8 ft., in lieu of the required 15 ft., to the centerline of the alley; and a variance from Section 102.5 of the B.C.Z.R. to permit a 4 ft. high fence (chainlink), in lieu of the permitted maximum 3 ft., within 15 ft. of the intersection of a street and alley, all as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of

the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

This property is located within the Chesapeake Bay Critical Areas and is subject to compliance with the recommendations to be made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.), upon completion of their findings. The relief granted herein shall be conditioned upon Petitioner's compliance with said findings.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of July, 1994 that the Petition for a Zoning Variance from Section 400.1 and 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure to be located partially in the third of the rear lot not farthest removed from any street, and a setback of 8 ft., in lieu of the required 15 ft., to the centerline of the alley, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 102.5 of the B.C.Z.R. to permit a 4 ft. high fence (chainlink), in lieu of the permitted maximum 3 ft., within 15 ft. of the intersection of a street and alley, all in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until

such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Compliance with the Department of Environmental Protection and Resource Management recommendations to be submitted upon completion of their review of this matter.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmm

ORDER RECEIVED FOR FILING
Date 7/27/94
By Ph. Davis

-3-

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12 S. Stuart St.
which is presently zoned ESSEX

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 400.1 & 400.2; BCZR, TO PERMIT AN ACCESSORY STRUCTURE TO BE LOCATED PARTIALLY IN THE THIRD OF REAR LOT NOT FARTHEST REMOVED FROM ANY STREET, AND A SETBACK OF 8' IN LIEU OF THE REQUIRED 15' TO THE CENTERLINE OF THE ALLEY AND (SEE ATTACHED) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. The shed and fence have been there since 11-93
2. To move shed back 15' from center of Alley I would have to cut tree or tree down
3. My yard would like stupid with driveway ending to nothing

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person: Les
Type of Request: Variance
Signature: Joseph A. Bossalina
Address: 12 S. Stuart St
City: ESSEX, MD
State: MD
Zip: 21221
Phone: 391-5110

Legal Owner(s):
Signature: Joseph A. Bossalina
Address: 12 S. Stuart St
City: ESSEX, MD
State: MD
Zip: 21221
Phone: 391-5110

Attorney for Petitioner:
Signature: SAHAT
Address: SAHAT
City: SAHAT
State: SAHAT
Zip: SAHAT
Phone: SAHAT

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 26th day of July, 1994, that the subject matter of this petition be set for a public hearing, advertisement or advertisement by the Zoning Department of Baltimore County, in two newspaper of general circulation throughout Baltimore County, and that the property be posted.

REVIEWED BY: gum DATE: 6-22-94
ESTIMATED POSTING DATE: 7-3-94
ITEM #: 507

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereon in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 12 S. STUART ST.
ESSEX, MD. 21221

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: SHED AND FENCE INSTALLED 11-93
TO MOVE SHED AND FENCE BACK TO REQUIRE 15' FROM
CENTERLINE OF ALLEY I WOULD HAVE TO REMOVE TREES
EXISTING IN YARD, EXISTING DRIVEWAY WOULD LOOK
STUPID, AND WOULD HAVE TO BE REMOVED OR
EXTENDED. I'VE PUT A LOT OF TIME + MONEY
INTO MAKING MY PROPERTY LOOK GOOD.
MOVING WOULD ONLY MAKE MY YARD LOOK
LIKE UNFINISHED WORK.

THANK YOU VERY MUCH.
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Joseph A. Bossalina
Type of Signature: Signature

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, on 21 day of JULY, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Joseph A. Bossalina
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal
6/21/94

My Commission Expires:
BARBARA STEINMEYER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 12, 1995

* FROM SECTION 102.5; BCZR, TO PERMIT
A 4' HIGH FENCE (CHAINLINK) IN LIEU
OF THE PERMITTED MAX. 3' HIGH, WITHIN
15' OF THE INTERSECTION OF A STREET
AND AN ALLEY.

94-516-A

507

Property Description 94-516-A

Being Known and Designated as Lot
No. fourteen (14) in Block A of section E
of Essex, as shown on the ~~Plat~~ Plat
of the same, Filed among the land
records of Baltimore County in Plat
Book Liber W. H. M. No. 9, folio 74.

The improvements thereon being
Known as 12. S. Stuart Street.
LOCATED ON THE N.W. CORNER OF
THE INTERSECTION OF STUART ST.
AND MARYLAND AVE.

#507

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Townes, Maryland

District: 12th Date of Posting: 7/2/94
Posted for: Variance
Petitioner: Bossalina, Joseph A.
Location of property: 12 S. Stuart St. N.W. Corner Maryland Ave.
Location of Sign: Front, driveway, on property, by tree
Remarks: SEE ATTACHED
Posted by: SAHAT Date of return: 7/2/94
Number of Signs: 1

Baltimore County
Zoning Administration &
Development Management
111 York Street, Suite 1000
Baltimore, Maryland 21201

Date: 6-22-94
Joseph Bossalina 12 S. STUART ST.
Admin VAR. (C10) 50.00
Posting (080) 35.00
85.00

0340300064M1CHRC
PB_C003103P006-22-94 \$85.00
Please Make Checks Payable To: Baltimore County

Confir Validation